

Appendix A.  
 Proposed Amendments from the January 25, 2024 Elections  
 Regulations Review Meeting.

Current section of the 2022 Election Regulations:	Proposed Amendments:
<b>Amendment 1:</b>	
**Please see the end of this document for proposed amendments to Appendix A.**	
<b>6) Chief Councillor Position</b> a) The Chief Councillor position shall be a fulltime, elected official paid position for the duration of the term of office. The duties and responsibilities of the Chief Councillor shall in accordance with Appendix A – Office of the Chief Councillor. b) When an Election is being held to vote for a Chief Councillor, the candidate with the highest number of votes in that Election will hold the office of Chief Councillor. c) If the person with the most votes does not wish to hold the position of Chief, the candidate with the next highest number of votes shall serve as Chief Councillor.	<b>6) <del>Band</del>Chief Councillor Positions</b> a) <del>Band Council</del> <del>The Chief Councillor</del> positions shall be <del>a</del> fulltime, elected official paid positions for the duration of their <u>respective</u> terms of office. The <u>roles duties</u> and responsibilities of <u>Band Council</u> <del>the Chief Councillor</del> shall <u>be</u> in accordance with Appendix A – <u>Roles and Responsibilities of Band Council</u> <del>Office of the Chief Councillor</del> b) When an Election is being held to vote for a Chief Councillor, the candidate with the highest number of votes in that Election will hold the office of Chief Councillor. c) If the person with the most votes does not wish to hold the position of Chief, the candidate with the next highest number of votes shall serve as Chief Councillor.
<b>Amendment 2:</b>	
<b>9) ELIGIBILITY OF CANDIDATES</b> a) Any candidate for the office of Chief and Councillor must: iv) ordinarily reside within the Ktunaxa Traditional Territory;	<b>9) ELIGIBILITY OF CANDIDATES</b> a) Any candidate for the office of Chief and Councillor must: iv) ordinarily reside within <u>128 kilometers of the ʔakisq̓nuk First Nation;</u> <del>the Ktunaxa Traditional Territory;</del>
<b>Amendment 3:</b>	
<b>9) ELIGIBILITY OF CANDIDATES</b>	<b>9) ELIGIBILITY OF CANDIDATES</b>

<p>a) Any candidate for the office of Chief and Councillor must:  <b>viii)</b> not be in arrears on any established legal indebtedness to ?akisqnuuk First Nation or any of its business entities by the date of the election;</p>	<p>a) Any candidate for the office of Chief and Councillor must:  <b>viii)</b> not be in arrears on any established legal indebtedness to ?akisqnuuk First Nation or any of its business entities, <u>, including, without limitation any lease or rent payments, nor be in default on any obligation to the akisqnuuk First Nation for which akisqnuuk First Nation has provided notice of such default to the individual and demanded the individual cease being in default by the date of the election;</u></p>
<p><b>Amendment 4:</b></p>	
<p><b>5) ELECTION OF COUNCIL</b>  c) No Council member shall be an employee or contractor for ?akisqnuuk First Nation or any of its businesses for the duration of their term not withstanding section 6. Elected candidates who are employees of the ?akisqnuuk First Nation or an ?akisqnuuk First Nation controlled business or society or a contractor of the ?akisqnuuk First Nation, must cease their employment or contractual relationship before taking the Oath of Office. NO EXCEPTIONS.</p>	<p><b>5) ELECTION OF COUNCIL</b>  c) No Council member shall be an employee or contractor for ?akisqnuuk First Nation or any of its businesses <u>or societies</u> for the duration of their term not withstanding section 6. Elected candidates who are employees of the ?akisqnuuk First Nation or an ?akisqnuuk First Nation controlled business or society or a contractor of the ?akisqnuuk First Nation, must cease their employment or contractual relationship before taking the Oath of Office. NO EXCEPTIONS.</p>
<p><b>Amendment 5:</b></p>	
<p><b>10) RECORDS CHECK</b>  c) Any candidate that is shown not to have clear records will have that history reviewed by the Electoral Officer to ascertain whether that candidate is to be disqualified, or approved to remain, as a candidate in the election.</p>	<p><u>Remove section 10. c)</u></p>
<p><b>Amendment 6:</b></p>	

<p><b>20) VOTING AT POLLING STATION</b>  <b>f)</b> Notwithstanding section 19 c). Eligible Voters may vote by telephone. The identity of telephone voters must be confirmed by two (2) other people in the presence of the Electoral Officer. These two (2) people shall not be a party to the voting conversation. To confirm their identity callers will be required to state their Indian Status Number and date of birth.</p>	<p><b>20) VOTING AT POLLING STATION</b>  <b>f)</b> Notwithstanding section 19 c). Eligible Voters may vote by telephone. The identity of telephone voters must be confirmed by two (2) other people in the presence of the Electoral Officer. These two (2) people shall not be a party to the <del>vote of the Eligible Voting conversation</del>. To confirm their identity callers will be required to state their Indian Status Number and date of birth.</p>
<b>Amendment 7:</b>	
	<p>Add new section  <b>20) VOTING AT POLLING STATION</b>  <b>aa)</b> The duties of the Electoral Officer in this section 20 may be carried on by a duly appointed Deputy Electoral Officer. [with such other amendments made mutatis mutandi]</p>
<b>Amendment 8:</b>	
<p><b>11) APPOINTMENT OF ELECTORAL OFFICER AND APPEALS COMMITTEE</b>  <b>a)</b> Council shall, at least fifty (50) days prior to the date on which the Election is to be held, appoint an Electoral Officer and appeals committee.   <b>d)</b> Every Electoral Officer shall sign an Oath of Office swearing to:  <b>i)</b> uphold and comply with these regulations and all related ?akisq̄nuk First Nation regulations;  <b>ii)</b> fulfill the duties and responsibilities of their office under these regulations;  <b>iii)</b> carry out their duties faithfully, honestly, impartially and to the best of their abilities;  <b>iv)</b> keep confidential, both during and after their term of office, any matter or information which,</p>	<p><b>11) APPOINTMENT OF ELECTORAL OFFICER AND APPEALS COMMITTEE</b>  <b>a)</b> Council shall, at least fifty (50) days prior to the date on which the Election is to be held, appoint an Electoral Officer, <del>a</del> <u>Deputy Electoral Officer</u>, and appeals committee.   <b>d)</b> Every Electoral Officer shall sign an Oath of Office swearing to:  <b>i)</b> uphold and comply with these regulations and all related ?akisq̄nuk First Nation regulations <u>and policies</u>;  <b>ii)</b> fulfill the duties and responsibilities of their office under these regulations;  <b>iii)</b> carry out their duties faithfully, honestly, impartially and to the best of their abilities;  <b>iv)</b> keep confidential, both during and after their term of office, any matter or information which, under these</p>

<p>under these regulations, other law or policy, is considered confidential; and</p> <p>v) always act in the best interests of ʔakisq̓nuk First Nation in carrying out their duties.</p>	<p>regulations, other law or policy, is considered confidential; and</p> <p>v) always act in the best interests of ʔakisq̓nuk First Nation in carrying out their duties;</p>
<b>Amendment 9:</b>	
<p><b>20) VOTING AT POLLING STATION</b></p> <p>y) Each candidate shall be entitled to have two (2) scrutineers at a polling station at any one time.</p>	<p><b>20) VOTING AT POLLING STATION</b></p> <p>y) Each candidate shall be entitled to have two (2) scrutineers at a polling station at any one time. <u>as set out in section 20)h).</u></p>
<b>Amendment 10:</b>	
<p><b>28) VACANCIES</b></p> <p>a) The office of a Council member shall become vacant immediately when the person who holds that office:</p> <ul style="list-style-type: none"> <li>i. dies;</li> <li>ii. resigns from office;</li> <li>iii. removed from office;</li> <li>iv. has been convicted of a criminal offence in Canada since their election and all appeals are completed;</li> <li>v. has transferred his or her membership to another Band;</li> <li>vi. no longer meets the criteria of candidacy as per section 13;</li> <li>vii. has his or her election declared invalid by the Appeals Committee and no other person has been declared by the Appeals Committee as duly elected; or</li> <li>viii. has been removed from office by declaration of the Appeals Committee.</li> </ul>	<p><b>28) VACANCIES</b></p> <p>a) The office of a Council member shall become vacant immediately when the person who holds that office:</p> <ul style="list-style-type: none"> <li>i. dies;</li> <li>ii. resigns from office;</li> <li>iii. removed from office. <u>in accordance with the Governance Policy;</u></li> <li>iv. has been convicted of a criminal offence in Canada since their election and all appeals are completed;</li> <li>v. has transferred his or her membership to another Band;</li> <li>vi. no longer meets the criteria of candidacy as per section 13;</li> <li>vii. has his or her election declared invalid by the Appeals Committee and no other person has been declared by the Appeals Committee as duly elected; or</li> <li>viii. has been removed from office by declaration of the Appeals Committee.</li> </ul>
<b>Amendment 11:</b>	
<b>28) VACANCIES</b>	<u>Remove section 28. e)</u>

<p>e) If a Council member has resigned, or has been removed from office ( , he/she shall not be eligible for Nomination or Election to Band Council for a period of five (5) years from the date of vacancy.</p>	
<p><b>Amendment 12:</b></p>	
<p><b>12) CONTACT ADDRESSES</b> e) A document shall be considered properly provided if it was mailed, emailed or hand-delivered to the contact address of the Elector.</p>	<p><b>12) CONTACT ADDRESSES</b> e) <u>unless otherwise specifically stated within these Regulations, A</u> document shall be considered properly provided if it was mailed, emailed or hand-delivered to the contact address of the Elector.</p>
<p><b>Amendment 13:</b></p>	
<p><b>9) ELIGIBILITY OF CANDIDATES</b> v) not have been convicted of a criminal offence within seven (7) years prior to their nomination;</p>	<p><b>9) ELIGIBILITY OF CANDIDATES</b> v) not have been convicted of a criminal offence within seven (7) years prior to their nomination <u>and in the event the criminal offence is an "indictable offence" as defined in the Criminal Code of Canada, seven (7) years following the completion of their respective sentence, including continuing conditions;</u></p>
<p><b>Amendment 14:</b></p>	
<p><b>6) CHIEF COUNCILLOR POSITION</b> a) The Chief Councillor position shall be a fulltime, elected official paid position for the duration of the term of office. The duties and responsibilities of the Chief Councillor shall in accordance with Appendix A – Office of the Chief Councillor</p>	<p>Remove section 6. a); Remove also Appendix A</p>
<p><b>Amendment 15:</b></p>	
<p><b>9) ELIGIBILITY OF CANDIDATES</b> a) Any candidate for the office of Chief and Councillor must: ix) a Council member who resigns from Council during their term for any reason will not be eligible to run for Council again for a minimum of four (4) years from the date of the resignation</p>	<p><b>9) ELIGIBILITY OF CANDIDATES</b> a) Any candidate for the office of Chief and Councillor must: ix) a Council member who resigns from Council during their term for any reason will not be eligible to run for Council again for a minimum of <u>five (5)four (4)</u> years from the date of the resignation</p>
<p><b>Amendment 16:</b></p>	

<p><b>15) NOMINATION MEETING AND PROCESS</b></p> <p>e) The nominee will be asked at the time of nomination to verbally accept or decline the nomination.</p> <p>a. If the nominee declines their nomination, they have until the close of the nominations to change their mind and accept the nomination. Once nominations are closed, the option to accept is lost.</p> <p>b. If the nominee accepts the nomination, they must sign the following documents within forty-eight hours of accepting the nomination</p> <ul style="list-style-type: none"> <li>i. acceptance of nomination;</li> <li>ii. sign a criminal records check form;</li> <li>iii. a declaration confirming their eligibility as a candidate.</li> </ul>	<p><b>15) NOMINATION MEETING AND PROCESS</b></p> <p>e) The nominee will be asked at the time of nomination to verbally accept or decline the nomination.</p> <p>a. If the nominee declines their nomination, they have until the close of the nominations to change their mind and accept the nomination. Once nominations are closed, the option to accept is lost.</p> <p>b. If the nominee accepts the nomination, they must sign the following documents within <del>seventy-twoforty-eight</del> <u>seventy-two</u> hours of accepting the nomination</p> <ul style="list-style-type: none"> <li>i. acceptance of nomination;</li> <li>ii. sign a criminal records check form;</li> <li>iii. a declaration confirming their eligibility as a candidate.</li> </ul>
<p><b>Amendment 17:</b></p>	
<p><b>15) NOMINATION MEETING AND PROCESS</b></p> <p>e) The nominee will be asked at the time of nomination to verbally accept or decline the nomination.</p> <p>c. Any nominee who does not comply with Subsection 15 of this Regulation shall be considered to have rejected their nomination.</p>	<p><b>15) NOMINATION MEETING AND PROCESS</b></p> <p>e) The nominee will be asked at the time of nomination to verbally accept or decline the nomination.</p> <p>c. Any nominee who does not comply with <del>Sub</del>section 15 of this Regulation shall be considered to have rejected their nomination.</p>
<p><b>Amendment 18:</b></p>	

<p><b>15) NOMINATION MEETING AND PROCESS</b></p> <p>e) The nominee will be asked at the time of nomination to verbally accept or decline the nomination.</p> <p>b. If the nominee accepts the nomination, they must sign the following documents within forty-eight hours of accepting the nomination</p> <ul style="list-style-type: none"> <li>i. acceptance of nomination;</li> <li>ii. sign a criminal records check form;</li> <li>iii. a declaration confirming their eligibility as a candidate.</li> </ul>	<p><b>15) NOMINATION MEETING AND PROCESS</b></p> <p>e) The nominee will be asked at the time of nomination to verbally accept or decline the nomination.</p> <p>b. If the nominee accepts the nomination, they must sign the following documents within forty-eight hours of accepting the nomination</p> <ul style="list-style-type: none"> <li>i. acceptance of nomination;</li> <li>ii. sign a criminal records check form;</li> <li>iii. <u>sign</u> a declaration <u>form</u> confirming their eligibility as a candidate.</li> </ul>
<b>Amendment 19:</b>	
<p><b>7) TERM OF OFFICE</b></p> <p>c) The term of office for Council members commences thirty (30) days following the public declaration of the Election results by the Electoral Officer and subject to any vacancy arising under these regulations, expires 30 days following the subsequent election for their office, at eleven fifty-nine (11:59) p.m.</p>	<p><b>7) TERM OF OFFICE</b></p> <p>c) The term of office for Council members commences <del>fifteen</del><u>thirty</u> (<del>15</del><u>30</u>) days following the public declaration of the Election results by the Electoral Officer and subject to any vacancy arising under these regulations, expires 30 days following the subsequent election for their office, at eleven fifty-nine (11:59) p.m.</p>
<b>Amendment 20:</b>	
<p><b>5) ELECTION OF COUNCIL</b></p> <p>a) The Band Council of the ʔakisq̓nuk First Nation shall comprise one (1) Chief Councillor and four (4) Band Councillors, collectively known as the Council.</p>	<p><b>5) ELECTION OF COUNCIL</b></p> <p>a) The Band Council of the ʔakisq̓nuk First Nation shall comprise one (1) Chief Councillor and <del>two</del><u>four</u> (<del>4</del><u>2</u>) Band Councillors, collectively known as the Council.</p>
<b>Amendment 21:</b>	
<p><b>5) ELECTION OF COUNCIL</b></p> <p>b) No more than two Ktunaxa immediate family members can serve on Council at any one time.</p>	<p><b>5) ELECTION OF COUNCIL</b></p> <p>b) No <del>more than two Ktunaxa</del> immediate family members can serve on Council at any one time.</p>
<b>Amendment 22:</b>	

<p><b>9) ELIGIBILITY OF CANDIDATES</b>  a) Any candidate for the office of Chief and Councillor must:  iv) ordinarily reside within the Ktunaxa Traditional Territory;</p>	<p><b>9) ELIGIBILITY OF CANDIDATES</b>  a) <del>Any- In order hold candidate for</del> the office of Chief <del>and</del> Councillor, <u>any individual</u> -must:  iv) ordinarily reside within the Ktunaxa Traditional Territory, <u>at the time such individual takes office as Chief or Councillor</u>;</p>
<p><b>Amendment 23:</b></p>	
<p><b>30) REVIEW AND AMENDMENT OF ELECTION REGULATIONS</b>  l) No additional changes will be made to the election regulations by Council or any other person, without the knowledge and consent of the eligible voters.</p>	<p><b>30) REVIEW AND AMENDMENT OF ELECTION REGULATIONS</b>  l) <u>Except for grammatical and formatting corrections,</u> <del>No</del> additional changes will be made to the election regulations by Council or any other person, without the knowledge and consent of the eligible voters.</p>
<p><b>Amendment 24:</b></p>	
<p><b>30) REVIEW AND AMENDMENT OF ELECTION REGULATIONS</b>  e) Those Electors in attendance at the election regulation review meeting may draft recommended amendments to the regulations.</p>	<p><b>30) REVIEW AND AMENDMENT OF ELECTION REGULATIONS</b>  e) <u>Electors may submit amendments to the regulations by email, or those</u> <del>The</del> Electors in attendance at the election regulation review meeting may draft recommended amendments to the regulations.</p>

**Current Appendix A.**



## **Akisqnuq First Nation Custom Election Code - Appendix A**

### **ᐱAkisqnuq First Nation**

#### **Office of the Chief Councillor**

##### **Terms of Reference**

#### **1.0 Role:**

The role of Chief Councillor requires a commitment equivalent to a full-time position with remuneration paid by the ᐱAkisqnuq First Nation (AFN). As a result, the Chief Councillor has duties and responsibilities over and above that of other Councillors.

#### **2.0 Approval:**

The approval to establish and maintain the Office of the Chief Councillor (Chief Councillor) as a full-time paid position is given by the AFN electors through the AFN Election Regulation.

#### **3.0 Constituency:**

- 3.1** The Chief Councillor represents all the members of the Band, both residing on and off-reserve. The Chief will be responsible for regular communications to AFN Band members on general matters and important issues. This is achieved by regular reports in the monthly newsletter, reporting at Band meetings, one-on-one visits, and other means as determined. The Chief Councillor will need to be familiar with Band programs and services to direct inquiries to appropriate Band staff.
- 3.2** The Chief Councillor will be provided with an office within the AFN Administration compound and establish and post regular office hours.

#### **4.0 Responsibilities:**

The role of Chief Councillor requires a commitment equivalent to a full-time position with remuneration paid by the ᐱAkisqnuq First Nation. As a result, the Chief Councillor has duties and responsibilities over and above that of other Councillors. The Chief Councillor has a high level of administrative responsibilities unique as a member of the AFN Council. These responsibilities are carried out in cooperation with staff through the Senior Administrative Officer. Specific duties may change throughout the fiscal year depending on the Band's needs. Responsibilities will include aspects of communications, government relations, finance, human resources, program delivery and evaluation.

- 4.1** Other duties of the Chief Councillor shall include, but are not limited to:

- a) Act on behalf of the Council as a whole between regular Council meetings;
- b) Specific responsibilities set out in the AFN Financial Administration Law (FAL) and other laws and bylaws subsequently enacted.
- c) Regularly communicate and engage with Band membership;
- d) Faithfully represent and advocate for the Band;
- e) Represent and attend meetings for the Band with external parties following general direction and instruction from Council;
- f) Participate in all opportunities to promote the Band locally, regionally, nationally and internationally;
- g) Speak on behalf of the Band to external media sources, other agencies and organizations and the general public;
- h) Report monthly to Council on the activities undertaken on behalf of the Band;
- i) Attend and represent the Band at Chiefs meetings, conferences, summits, and events as requested by Council;

#### **4.2 Committees of Council**

The Chief Councillor shall Chair all Committees of Council. The Chief Councillor is not counted in establishing a quorum and does not vote.

#### **4.3 Relationship to Administration**

- a) The Chief Councillor should report all justifiable matters of membership concern or issues that have been brought to his attention to the SAO, who in turn will relate the or issue to the appropriate staff person.
- b) The Chief Councillor must respect the organizational structure and not take part in the day-to-day administration of the Band. The Chief Councillor has no authority to direct any staff member or interfere with the authority of the Senior Administrative Officer.
- c) The Chief Councillor will not engage in behaviour that disparages any member of Council or Administration.
- d) The Chief Councillor does not engage on an ad hoc basis with internal groups other than to be a conduit of communication as appropriate.

#### *5.0 Conduct*

The Chief Councillor shall be held to the standard of conduct expected of an elected official and, more specifically, as set out in the AFN Governance Policy and AFN Election Regulation.

#### *6.0 Decision Making:*

The Decision-making authority of the Chief Councillor is as set out in the AFN Governance Policy.

#### *7.0 Conflict of Interest:*

The Chief Councillor shall adhere to and be held accountable by the Conflict of Interest policy set out as a schedule to the AFN Financial Administration Law.

#### *8.0 Remuneration*

- 8.1 The Office Chief Councillor shall be remunerated on a bi-weekly basis. Such remuneration shall include MERC and benefits afforded to other AFN full-time permanent staff as per the current AFN Human Resource Policy.
- 8.2 To avoid double-dipping, any honoraria or stipend available or payable to the Chief Councillor from external sources for activities during work hours, including but not limited to the Ktunaxa Nation Council, shall be paid directly to the AFN whenever possible. If direct payment is not possible, the Chief Councillor shall reimburse the AFN the exact amount received as soon as practical.
- 8.3 Eligible expenses shall be paid or reimbursed, whatever the case may be, following the AFN Financial policy. If travel or other expenses are claimed by the Chief Councillor for external activities, the Chief Councillor may claim and receive payment for such directly from the external source. However, a claim may not be made to the AFN for the same purpose.

#### *8.0 Evaluation*

The Office of the Chief Councillor shall be evaluated at minimum, every four years. The evaluation should consider the following:

- (a) successes and challenges;
- (b) areas where improvement is needed;
- (c) the functionality of the Office;

The evaluation is not conducted to determine the continuation of the Office of the Chief Councillor but rather to make improvements to the Office and to inform revisions to this terms of reference.

The evaluation shall be conducted by an ad-hoc committee consisting of AFN elected leaders and members. The committee shall generate a report summarizing its findings and providing recommendations for consideration by AFN membership.

#### *9.0 Revisions*

Revisions to these Terms of Reference may be made from time to time as part of the AFN Election Bylaw review process. The date of adoption and any duly adopted revisions shall be added as a footer to this terms of reference.

#### *10.0 Approval*

These terms of reference have been initially adopted as part of the AFN Election Bylaw review process on:

Date of approved by AFN Membership: January 6, 2022

## Proposed Amended Appendix A.

### Akisqnuq First Nation Custom Election Code - Appendix A

#### ᐱᓕᓴᓂᓂᓂ ᐱᓕᓴᓂᓂᓂ

#### Roles and Responsibilities of Band Council~~Office of the Chief Councillor~~

#### Terms of Reference

##### 1.0 Role:

The role of ~~each Chief Councillor~~ requires a commitment equivalent to a full-time position with remuneration paid by the ᐱᓕᓴᓂᓂᓂ First Nation (AFN). ~~As a result, the Chief Councillor has duties and responsibilities over and above that of other Councillors.~~

##### 2.0 Approval:

The approval to establish and maintain ~~each Councillor position the Office of the Chief Councillor (Chief Councillor)~~ as a full-time paid position is given by the AFN electors through the AFN Election Regulation.

##### 3.0 Constituency:

~~3.1 The Chief Councillors Councillor~~ represents all the members of the Band, both residing on and off-reserve. ~~Councillors The Chief~~ will be responsible for regular communications to AFN Band members on general matters and important issues. ~~This is achieved by regular reports in the monthly newsletter, reporting at Band meetings, one-on-one visits, and other means as determined. The Chief Councillor will need to be familiar with Band programs and services to direct inquiries to appropriate Band staff.~~

~~3.2 The Chief Councillor will be provided with an office within the AFN Administration compound and establish and post regular office hours.~~

##### 4.0 Roles and Responsibilities:

~~The roles and responsibilities of Councillors shall be set out in the ᐱᓕᓴᓂᓂᓂ First Nation, Governance Policy and Procedures, subject to amendment as provided therein. The role of Chief Councillor requires a commitment equivalent to a full-time position with remuneration paid by the ᐱᓕᓴᓂᓂᓂ First Nation. As a result, the Chief Councillor has duties and responsibilities over and above that of other Councillors. The Chief Councillor has a high level of administrative responsibilities unique as a member of the AFN Council. These~~

responsibilities are carried out in cooperation with staff through the Senior Administrative Officer. Specific duties may change throughout the fiscal year depending on the Band's needs. Responsibilities will include aspects of communications, government relations, finance, human resources, program delivery and evaluation.

**4.1** — Other duties of the Chief Councillor shall include, but are not limited to:

- a) — Act on behalf of the Council as a whole between regular Council meetings;
- b) — Specific responsibilities set out in the AFN Financial Administration Law (FAL) and other laws and bylaws subsequently enacted.
- c) — Regularly communicate and engage with Band membership;
- d) — Faithfully represent and advocate for the Band;
- e) — Represent and attend meetings for the Band with external parties following general direction and instruction from Council;
- f) — Participate in all opportunities to promote the Band locally, regionally, nationally and internationally;
- g) — Speak on behalf of the Band to external media sources, other agencies and organizations and the general public;
- h) — Report monthly to Council on the activities undertaken on behalf of the Band;
- i) — Attend and represent the Band at Chiefs meetings, conferences, summits, and events as requested by Council;

**4.2 Committees of Council**

The Chief Councillor shall Chair all Committees of Council. The Chief Councillor is not counted in establishing a quorum and does not vote.

**5.04.3 Relationship to Administration**

- a) Each The Chief Councillor should report all justifiable matters of membership concern or issues that have been brought to theirhis attention to the SAO, who in turn will relate the or issue to the appropriate staff person.
- b) Each The Chief Councillor must respect the organizational structure and not take part in the day-to-day administration of the Band. No Councillor individually has The Chief Councillor has no authority to direct any staff member or interfere with the authority of the Senior Administrative Officer.
- c) No Councillor The Chief Councillor will not engage in behaviour that disparages any member of Council or Administration.
- d) No The Chief Councillor shall does not engage on an ad hoc basis with internal groups other than to be a conduit of communication as appropriate.

**65.0 Conduct**

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~~Each The Chief~~ Councillor shall be held to the standard of conduct expected of an elected official and, more specifically, as set out in the AFN Governance Policy and AFN Election Regulation.

#### 76.0 Decision Making:

The Decision-making authority of the ~~Band Council Chief Councillor~~ is as set out in the AFN Governance Policy and Procedures, as may be amended from time to time.

#### 87.0 Conflict of Interest:

~~Each Councillor The Chief Councillor~~ shall adhere to and be held accountable by the Conflict of Interest policy set out as a schedule to the AFN Financial Administration Law.

#### 98.0 Remuneration

- 8.1 ~~Councillors The Office Chief Councillor~~ shall be entitled to receive fair and reasonable remuneration for performing their duties and reimbursement that they incur fulfilling their responsibilities, as more fully described in the AFN Governance Policy and Procedures, as may be amended as provided therein. remunerated on a bi-weekly basis. Such remuneration shall include mandatory employment related costs MERC and benefits afforded to other AFN full-time permanent staff as per the current AFN Human Resource Policy.
- 8.2 To avoid double-dipping, any honoraria or stipend available or payable to any Councillor the Chief Councillor from external sources for activities during work hours, including but not limited to the Ktunaxa Nation Council, shall be paid directly to the AFN whenever possible. If direct payment is not possible, the Councillor Chief Councillor shall reimburse ~~the~~ AFN the exact amount received as soon as practical.
- 8.3 Eligible expenses shall be paid or reimbursed, whatever the case may be, following the AFN Financial policy. If travel or other expenses are claimed by at the Councillor Chief Councillor for external activities, the Councillor Chief Councillor may claim and receive payment for such directly from the external source. However, a claim may not be made to the AFN for the same purpose.

#### 108.0 Evaluation

Councillor positions, as fulltime paid positions, The Office of the Chief Councillor shall be evaluated at minimum, every four years. The evaluation should consider the following:

- (a) successes and challenges;
- (b) areas where improvement is needed;

(e)@ the functionality of the position Office;

The evaluation is not conducted to determine the continuation of Councillor positions as fulltime, paid, positions, the Office of the Chief Councillor but rather to make improvements to the position Office and to inform revisions to this terms of reference.

The evaluation shall be conducted by an ad-hoc committee consisting of AFN elected leaders and members. The committee shall generate a report summarizing its findings and providing recommendations for consideration by AFN membership.

#### 119.0 Revisions

Revisions to these Terms of Reference may be made from time to time as part of the AFN Election Bylaw review process. The date of adoption and any duly adopted revisions shall be added as a footer to this terms of reference.

#### 120.0 Approval

These terms of reference have been initially adopted as part of the AFN Election Bylaw review process on:

Date of approved by AFN Membership: \_\_\_\_\_